

IN UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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IN RE: BEXTRA AND CELEBREX  
MARKETING AND SALES PRACTICES  
AND PRODUCT LIABILITY LITIGATION

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MDL Docket No. 1699

Judge Charles R. Breyer

This document relates to:

**DONLAD GILBERT,**

**STIPULATION AND ORDER  
OF DISMISSAL WITHOUT  
PREJUDICE ONLY AS TO  
CASE NO. 3:07-cv-01125**

**Plaintiff,**

**v.**

**PFIZER, INC. et. al.,**

**Defendants.**

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**IT IS HEREBY STIPULATED AND AGREED** by and between counsels for the Plaintiff and counsel for the Defendants that the Complaint of Plaintiff Donald Gilbert is hereby dismissed without prejudice.

1. Plaintiff is Donald Gilbert; defendants are Pfizer, Inc., Pharmacia Corporation, Monsanto Company, and G.D. Searle L.L.C.;
2. On February 22, 2007, plaintiff sued defendants;
3. Plaintiff moves to dismiss his claims against defendants;
4. Defendants have not answered these claims;
5. This case is not a class action;
6. A receiver has not been appointed to this action;

7. Plaintiff has not dismissed an action based on or including the same claims as those present in this suit.
8. Should Plaintiff or a representative of Plaintiff attempt to re-file his claims against Defendants, they shall do so only by filing said claims in federal court.

Respectfully submitted:

Dated: 7/2/07

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*Defendant's Liaison Counsel*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 23, 2007

Hon. Charles R. Breyer  
United States District Court

